

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DANIEL RYAN CURRY,

Plaintiff,

v.

SGT. REED TREFZ and CAPTAIN DAVID GARDNER,

Defendants.

ORDER

11-cv-223-slc

Judgment was entered in this case on September 12, 2012 in favor of defendants. On October 12, 2012, plaintiff filed a notice of appeal that I construed to include a request to proceed *in forma pauperis* on appeal. I could not determine the amount of plaintiff's initial partial payment of his filing fee for his appeal because plaintiff had not submitted a trust fund statement. On January 3, 2013, I entered an order giving plaintiff until January 23, 2013, in which to submit a certified copy of his trust fund account statement for the six-month period from approximately April 12, 2012 to approximately October 12, 2012. Plaintiff was warned that if he failed to submit the required trust fund account statement his request to proceed *in forma pauperis* on appeal would be denied. It is now February 21, 2013 and plaintiff has failed to submit his six-month trust fund account statement or show cause for his failure to do so. Accordingly, plaintiff's request for leave to proceed *in forma pauperis* is denied on the ground that he has failed to show that he is entitled to indigent status on appeal.

ORDER

IT IS ORDERED that plaintiff Daniel Curry's request to proceed *in forma pauperis* on appeal, dkt. #71, is DENIED. Further, IT IS ORDERED that the clerk of court insure that plaintiff's obligation to pay the \$455 filing fee for the appeal is reflected in this court's financial records.

Entered this 21st day of February, 2013.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge